

### REMARKS

In the action of March 12, 2010, the examiner objected to the disclosure, citing an incorrect recitation of an application serial No.; rejected claims 1, 2, 6, 7 and 9-12 under 35 U.S.C 102(e); and rejected claims 3-5 under 35 U.S.C (a) as unpatentable over Lev in view of Moret et al.

The examiner in his conclusion indicated that positively reciting a power toothbrush handle wherein the handle has a fixed receiving portion, as part of a "power toothbrush", would be a "different situation". Applicant's attorney interprets this language as indicating patentability of the claim over Lev if the above elements are in fact recited positively.

By this amendment, applicant has amended claims 1, 10 and 12 to positively recite the elements of a power toothbrush, following the suggestion of the examiner.

Accordingly, claims 1, 10 and 12 are allowable over the Lev.

Allowance of the application is now respectfully requested.

Respectfully submitted,

JENSEN & PUNTIGAM, P.S.

By Clark A. Puntigam

Clark A. Puntigam, #25763

Attorney for Applicant

CAP:rml